Cr.OPC No.2/2006

6.8.2007: Present: Court on its own motion.

Mr. G.D. Verma, Sr. Advocate with Mr. Romesh Verma, Advocate for respondent No.1.

Mr. D. Dadwal, Advocate for contemnor-respondent No.2.

There are three contemnors in this case. All of them have tendered unconditional apology. All of them are present in the Court today and submit that apart from tendering unconditional and unqualified apology, which they reiterate in the Court today also, they place themselves at the mercy of the Court.

Vide order dated 24th May, 2006, this Court had directed the personal appearance of Sr. Superintendent of Police, Meerut for answering the charge as to why he had not executed the warrant of arrest issued against respondent No.2. Today instead of Sr. Superintendent of Police, Meerut, Sh. Rajesh Kumar Srivastava, Dy. Superintendent of Police, Meerut is present on behalf of the Sr. Superintendent of Police. He submits that Sr. Superintendent of Police, Meerut is presently involved in a very important law and order maintenance duty because of the on going rush of Kawarias passing through Meerut on their way to Hardwar. We have also seen communication dated 18th July, 2007 sent by the Sr. Superintendent of Police addressed to the Additional Registrar of this Court in which he has stated that he was not aware of the order passed by this Court and the present matter, including the order dated 21st December, 2006. Hence, in this background the warrant sent against respondent No.2 could not be executed.

Because all the three respondents have now tendered unconditional and unqualified apology and have placed themselves at the mercy of this Court, we feel that we should not proceed any further in the matter and drop the contempt proceedings, of course, after warning the respondents to be careful in future. We do wish to observe that respondent No.2 had demonstrated some irresponsible and recklessness in so far as dealing with this matter and making of some uncalled observations is concerned, but since he has now shown a genuine repentance, we do intend to drop the proceedings against him as well.

The proceedings against all the three respondents are dropped but they are all warned to be careful in future.

Because of the aforesaid communication from the Sr. Superintendent of Police, Meerut, we do not wish to proceed any further in the matter against him since we are satisfied that the reasons assigned by him in the aforesaid communication for not executing the warrant of arrest are justified as well as genuine.

Proceedings dropped.

(V.K.Gupta),C.J.

August 6, 2007(A) **(Rajiv Sharma),J.**